

EXHIBIT 21

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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Gerardo Campos, et al.,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	Case No.
	:	3:12-cv-01529-ADC
Safety-Kleen Systems,	:	
Inc., et al.,	:	
	:	
Defendants.	:	

- - -

DEPOSITION OF PETER G. SHIELDS, M.D.

- - -

Friday, May 9, 2014
9:19 o'clock a.m.
Crabbe, Brown & James
500 South Front Street
Suite 1200
Columbus, Ohio 43215

- - -

ANN FORD
REGISTERED PROFESSIONAL REPORTER

- - -

1 APPEARANCES:

2 MICHAEL A. ROBB, Attorney at Law
3 (Appearing Telephonically)
4 Clark, Robb, Mason, Coulombe,
5 Buschman & Charbonnet, P.A.
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11 On behalf of the Plaintiffs.

12 HEATHER J. FORGEY, Attorney at Law
13 Jones, Carr, McGoldrick
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15 5910 North Central Expressway
16 Suite 1700
17 Dallas, Texas 75206
18 (214) 828-9200
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20 Heather.Forgey@JCMFirm.com

21 On behalf of the Defendants Safety-Kleen
22 Systems, Inc. and Safety-Kleen
23 Corporation.

24 FRANCISCO COLÓN, Attorney at Law
25 (Appearing Telephonically)
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On behalf of the Defendant Makita
U.S.A., Inc.

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FRIDAY MORNING SESSION
May 9, 2014
9:19 o'clock a.m.

- - -

STIPULATIONS

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It is stipulated by and between counsel
for the respective parties herein that this
deposition of PETER G. SHIELDS, M.D., a Witness
herein, called by the Plaintiffs under the statute,
may be taken at this time and reduced to writing in
stenotypy by the Notary, whose notes may thereafter
be transcribed out of the presence of the witness;
and that proof of the official character and
qualifications of the Notary is waived.

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I N D E X

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WITNESS	PAGE
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PETER G. SHIELDS, M.D.	
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Examination	6
(By Mr. Robb)	

Examination	123
(By Ms. Forgey)	

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EXHIBITS	MARKED
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Exhibit No. 1	6
(Cleveland Clinic Website Info on Diseases & Conditions, Leukemia)	

Exhibit No. 2	6
(Johns Hopkins Website Info on Leukemia Risk Factors)	

Exhibit No. 3	6
(Children's Leukemia Research Assoc, Inc. Website Info by Peter H. Wiernick, M.D.)	

Exhibit No. 4	6
(Cancer Council Website Info on Causes of chronic myeloid leukaemia)	

Exhibit No. 5	6
(Montana Cancer Control Section Quarterly Surveillance Report Re: Leukemia, Lymphoma, and Myeloma)	

Exhibit No. 6	6
(Document on Leukaemia)	

Exhibit No. 7	6
(University of Michigan Document by Dale Bixby, M.D., Ph.D., 2009)	

Exhibit No. 8	6
(Search Health24 Website Info on Leukaemia)	

I N D E X

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EXHIBITS

MARKED

Exhibit No. 9
(UC Davis Comprehensive Cancer Center
Website Info on Leukemia)

Exhibit No. 10
(Irish Cancer Society Website Info on
Causes and Prevention of
chronic myeloid leukaemia (CML))

Exhibit No. 11
(Cancer Research UK Website Info on
chronic myeloid leukaemia (CML)
risks and causes)

Exhibit No. 12
(Objections by Defendants Safety-Kleen)

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P R O C E E D I N G S

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And, thereupon, Exhibit Nos. 1 through 11
were premarked for purposes of identification.

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PETER G. SHIELDS, M.D.,
being by me first duly sworn, as hereinafter
certified, testifies and says as follows:

EXAMINATION

BY MR. ROBB:

**Q. Good morning, Doctor. Please state your
name and your professional address, please.**

A. Peter Gary Shields. My professional
address, although not here as part of my professional
activities for Ohio State University, is the James
Cancer Center, Ohio State University Comprehensive
Cancer Center, The Ohio State University, 300 West
10th Street, Columbus, Ohio 43210.

**Q. Doctor, do you believe Benzene causes
leukemia?**

A. Which type of leukemia?

Q. Does it cause leukemia in general, Doctor?

A. No. It causes a specific type of leukemia
called acute myelogenous leukemia.

Q. Okay. Have you testified in the past in

1 Q. Okay. Doctor, you'll agree that there are
2 studies that do statistically link Benzene exposure
3 to CML?

4 A. Rare studies.

5 Q. But you do agree there are studies that
6 support the plaintiff's position in this particular
7 case that Benzene can cause the CML that he has in
8 this particular case?

9 MR. COLÓN: Objection to form.

10 BY MR. ROBB:

11 Q. Right?

12 A. Among the dozens of studies that address
13 the question, there's maybe one or one-and-a-half
14 that will support their contention.

15 Q. And those are specifically relevant
16 studies, are they not?

17 A. Well --

18 MR. COLÓN: Objection as to form.

19 A. -- relevant is a different question.
20 The answer is no.

21 Q. They are statistically valid studies,
22 aren't they, Doctor?

23 MR. COLÓN: Same objection.

24 A. They're using acceptable statistical
25 analysis if that's what you're asking me.

1 **Q. That's what I'm asking you, Doctor. The**
2 **studies that show a link between CML and Benzene**
3 **exposure are based on sound statistical principles,**
4 **correct?**

5 MR. COLÓN: Objection as to form.

6 MS. FORGEY: Objection to form.

7 Mr. Robb, can we have an agreement that an
8 objection by one is good for both defendants?

9 MR. ROBB: Absolutely. I don't want our
10 court reporter to run out of the room screaming.

11 A. So I'm talking specifically about two
12 studies.

13 **Q. Doctor, there's more than two studies that**
14 **link CML to Benzene exposure, you would agree with**
15 **that?**

16 A. No, I don't.

17 MS. FORGEY: Objection. Form.

18 A. I don't agree with that.

19 **Q. Okay. What two studies -- what are the**
20 **only two studies in the world, according to you, that**
21 **link CML to Benzene exposure?**

22 MS. FORGEY: Objection. Form.

23 A. So there's one by Atigoke --

24 **Q. Yes, sir.**

25 A. -- which has a lot of issues.

1 And the other one, when I said a half, is
2 because there's a study by -- wait -- so it's the
3 Glass study or Vlaanderen. I think it's the Glass
4 study -- I would have to look at it -- where at lower
5 levels -- or intermediate levels, I should say, there
6 was a statistical relationship, and at a higher
7 level, there was not a statistical relationship.

8 **Q. Okay. And that last study you just talked**
9 **about, the statistical relationship in the mid-level**
10 **was three times what somebody that was unexposed to**
11 **the chemical would experience, correct?**

12 A. I'm pulling the papers so we're talking
13 exactly. Well, actually, that's not correct. So at
14 the mid-level exposure -- now I'm referring to Glass,
15 2014 --

16 **Q. Yes, sir.**

17 A. -- it's at levels of greater than
18 2.933 ppm -- I'm sorry -- at levels between .348 and
19 2.93 ppm, the risk which was statistically
20 significant was 5.04; but at the higher level, the
21 risk drops and is no longer statistically
22 significant, and the trend test was not
23 significant -- was not significant.

24 **Q. 5.04 is a solid statistical relative risk**
25 **to establish a connection, correct?**

1 A. I guess I don't understand that question.

2 Q. Well, 2.0 would mean that there's a --
3 well, 1.0 is a statistical -- well, strike that.

4 Let me ask this. You would agree that
5 there are studies where the relative risk of Benzene
6 and CML being associated are greater than 2.0?

7 MS. FORGEY: Objection. Form.

8 A. So I just gave you the two studies,
9 correct?

10 Q. Okay. And you, in fact, yourself believe
11 that CML can be caused by Benzene exposure, correct?

12 MR. COLÓN: Objection as to form.

13 A. Say that again.

14 Q. You yourself believe that Benzene can
15 cause CML, do you not?

16 A. No. I don't believe that.

17 Q. You've never believed that, right?

18 A. No.

19 Q. Okay. Well, you know, I didn't ask that
20 very well. That was like a double negative.

21 A. Yeah.

22 Q. Have you ever believed that Benzene causes
23 CML?

24 A. Not that I can recall.

25 Q. Doctor, in order to determine what causes